Attorney's Docket No.: 12587-018001 / D01-095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dana Le et al.

Art Unit: 2835

Serial No.: 10/087,134

Examiner: Yean-Hsi Chang

Filed

: February 28, 2002

Title

: WEARABLE COMPUTER SYSTEM AND MODES OF OPERATING THE

SYSTEM

MAIL STOP AF

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated February 19, 2004, finally rejecting claims 1-34.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 2 month(s) to and including July 19, 2004 is enclosed. Please charge Deposit Account No. 06-1050 in the amount of \$420.00 for the extension of time fee.

Please charge Deposit Account No. 06-1050 in the amount of \$330 for the appeal fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Date: July 19, 200

Stephen R. Schaefer

Reg. No. 37,927

Respectfully submitted,

Fish & Richardson P.C., P.A.

60 South Sixth Street, Suite 3300

Minneapolis, MN 55402 Telephone: (612) 335-5070

Facsimile: (612) 288-9696

60232013.doc

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated

below.

Tammera A. Shinn

Typed or Printed Name of Person Signing Certificate

Attorney's Docket No.: 12587-018001

Client's Ref. No.: D01-095

OFFICIAL COMMUNICATION FACSIMILE:

OFFICIAL FAX NO: (703) 872-9306

Art Unit: 2835

Examiner: Yean-Hsi Chang

RECEIVED CENTRAL FAX CENTER JUL 1 9 2004

Number of pages including this page

Applicant: Dana Le et al.

Serial No.: 10/087.134

Filed

Title

: February 28, 2002

: Wearable Computer System and Modes of Operating the System

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is the Notice of Appeal and Petition for Extension of Time, faxed this 19th day of July, 2004, to the United States Patent and Trademark Office.

Date: July 19, 2004

fully submitted,

No. 37,927

Fish & Richardson P.C., P.A. 60 South Sixth Street **Suite 3300**

Minneapolis, MN 55402 Telephone: (612) 335-5070 Fax: (612) 288-9696

60232021.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (612) 335-5070 to arrange for its return. Thank you.